UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/51/646
4 November 1996

ORIGINAL: ENGLISH

Fifty-first session
Agenda item 140

ADMINISTRATIVE AND BUDGETARY ASPECTS OF THE FINANCING OF THE UNITED NATIONS PEACEKEEPING OPERATIONS

Reform of the procedures for determining reimbursement to Member States for contingent-owned equipment

Management review officers and roving finance officers

Special representatives, envoys and related positions

Death and disability benefits

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the reports of the Secretary-General on the following subjects: (a) reform of the procedures for determining reimbursement to Member States for contingent-owned equipment (A/50/995); (b) management review officers and roving finance officers (A/50/983); (c) special representatives, envoys and related positions (A/C.5/50/72); and (d) death and disability benefits (A/50/1009).

2. During its consideration of the reports, the Committee met with representatives of the Secretary-General who provided additional information.

Reform of the procedures for determining reimbursement to Member States for contingent-owned equipment

3. The Advisory Committee notes that the Secretary-General's report on reform of the procedures for determining reimbursement to Member States for contingent-owned equipment (A/50/995) has been submitted pursuant to General Assembly resolution 50/222 of 11 April 1996, in which, inter alia, the Assembly took note of the Advisory Committee's report (A/50/887) on the subject and endorsed the

recommendations of the Working Groups on Contingent-Owned Equipment (A/C.5/49/70, annex, para. 28).

4. The Advisory Committee recalls that in paragraph 16 of its report it had indicated that it expected that the final text of the draft model services agreement would be made available to it for review as early as possible before implementation and should be accompanied by a full text of the implementation procedures, the agreed text of performance standards and rates of reimbursement for contingent-owned equipment, together with the agreed text of all definitions.

5. The Advisory Committee was informed that the text as contained in the Secretary-General's report (A/50/995) had been reviewed further and that subsequent to the meeting with the Advisory Committee the following changes to the draft text were now being proposed:

Article 6.4 to read as follows:

> "The payment of the troop costs, the lease and self-sustainment rates will be calculated from the date of arrival of personnel or equipment in the mission area and will remain in effect until the date the unit ceases to be employed in the mission area as determined by the Organization."

Article 14 to read as follows:

> "The present Agreement shall become effective on [date]. The financial obligation of the United Nations with respect to reimbursement of personnel, major equipment and self-sustainment rates start from the date of arrival of personnel or serviceable equipment in the mission area and will remain in effect until the date personnel and/or equipment cease to be employed in the mission area as determined by the Organization."

Annex B, section 6, Loss or damage, paragraph 17 (b), to read as follows:

> "In cases of loss or damage resulting from a single hostile action or forced abandonment, the troop-contributing country will assume liability for each and every item of equipment when the collective generic fair market value is below the threshold value of $250,000."

Annex B, Section 6, Loss or damage, paragraph 18, to read as follows:

> "In cases of loss or damage resulting from a single hostile action or forced abandonment, the United Nations will assume liability for each and every item of equipment when the collective generic fair market value equals or exceeds the threshold value of $250,000."

In annex C, a new item would be inserted after tentage as follows:

Category	Rate
Accommodation	$36.00

Annex E, paragraph 18 to read as follows:

"In case the United Nations is unable to provide permanent, semi-rigid or rigid accommodation for a contingent after six months in tents, the troop-contributing country will be entitled to receive reimbursement at both the tentage and accommodation self-sustainment rates provided that a mandate exists for the continuation of the operation for one year or more. This combined rate will continue until personnel are housed to the standard specified under the accommodation rate."

6. On inquiry, the Advisory Committee was informed that paragraphs 13 and 14 of annex B of the current document corresponded to paragraphs 46 (f) and 46 (d) respectively of document A/C.5/49/70, which contains the Working Groups' recommendations on costs related to the rotation of equipment and inland transportation. The Committee notes that information relating to article 8 is contained in annex F, definitions. The Advisory Committee was informed that minor changes such as reflecting distances in kilometres (with miles in parenthesis) would be made to the draft.

7. The Advisory Committee was informed that since the Working Groups' discussions and issuance of the document, several troop-contributing countries had indicated that the term "Contribution Agreement" might cause some difficulty as it would require legislative approval at the national level. This could entail clearance of the agreement through an act of parliament. Such action would result in undue delays in deployment. Accordingly, the Secretariat is considering implementing the new procedures by using the term "Memorandum of Understanding", or even resorting to an exchange of letters. The Advisory Committee recommends that the legal implications for the United Nations of these alternatives be thoroughly explored.

8. The Advisory Committee trusts that implementation of the new procedures for contingent-owned equipment will take place as soon as possible.

Management review officers and roving finance officers

9. The Secretary-General's report (A/50/983) was submitted in accordance with the request of the General Assembly for further clarification of the concepts of management review officer and roving finance officer made in section X, Oversight, of its resolution 49/233 of 23 December 1994.

10. The Advisory Committee recalls that in paragraph 57 of its report of 18 November 1994 (A/49/664), on administrative and budgetary aspects of peacekeeping operations it took note of the introduction of the concept of roving finance officers and of their inclusion, at the time, in several survey missions. While welcoming this inclusion, which could contribute to better costing, planning and administration of peacekeeping operations and special missions, the Committee indicated that further development of the concept could be undertaken within the existing resources of the Organization, not entailing additional staffing resources. Moreover, in order for the concept to be implemented successfully, clearer and more detailed guidelines were required.

11. The functions of roving finance officers are described in paragraphs 5 to 10 of section II of the Secretary-General's report: financial planning, financial management, operational support, review and control. Tasks performed relate to mission planning surveys, assistance in start-up or expansion of missions, liquidation, trouble-shooting and staff training.

12. The Advisory Committee notes that, as stated in paragraphs 7 and 13 of the report, roving finance officers can be drawn for temporary assignment from existing resources either at the Department of Peacekeeping Operations or the Department of Administration and Management so far as there are sufficient staff resources in their respective departments, services or units to allow them to leave temporarily the functions they carry out without detriment to the quality and delivery of those functions. The Department of Peacekeeping Operations has redesigned some of the Professional jobs in its Finance Management and Support Service to include those relevant duties and functions.

13. In addition, the Advisory Committee, in paragraph 58 of its report (A/49/664), also indicated that one of the functions that needed strengthening was that of management advisory services in missions, thus providing missions with a certain level of management capacity, which should contribute to a preventive treatment of weaknesses in programme implementation. The Committee took note, at the time, that the Secretariat was developing a concept of management review officers that was to be submitted to the General Assembly at its forty-ninth session. Likewise, the Committee indicated that it was of the opinion that the function should be carried out by assigning these tasks to existing staff members.

14. Section III of the Secretary-General's report, paragraphs 14 to 20, contains a description of the functions of a management review officer, summarized as review and analysis of existing management practices, streamlining and improvement of management practices and programme coordination, and establishing and implementing follow-up mechanisms for corrective action. Paragraph 21 of the report indicates that these functions may be performed through appropriate redeployment of staff.

15. The Advisory Committee, bearing in mind the continuing accountability of peacekeeping programme managers, recommends that the General Assembly take note of the report of the Secretary-General on roving finance officers and management review officers. Information on these functions should be included in the budgets of specific peacekeeping operations, to be examined by the Advisory Committee and the General Assembly on a case-by-case basis.

Special representatives, envoys and related positions

16. The report of the Secretary-General on this subject (A/C.5/50/72), was submitted in accordance with General Assembly resolution 50/219 of 3 April 1996. Annex I of the report contains the draft guidelines governing the use of "when actually employed" contracts, which will be issued shortly as a Secretary-General's bulletin. Annex II of the report provides a list of representatives, envoys and related positions, as at 31 July 1996, grouped in the usual format of three categories. Upon request, the Committee was provided with an update of

that annex, as at 21 October 1996, which is attached as annex I to the present report.

17. Annex III of the Secretary-General's report provides the historical breakdown since 1991 of all three categories, indicating the source of financing of the costs associated with such positions as well as the type of contract, as requested in the Advisory Committee's report (A/50/7/Add.2). However, it does not include all the costs associated with such positions, such as travel, subsistence, accommodation and support. Moreover, the Committee noted the absence of information corresponding to the years 1992 and 1995. The Committee was informed that the data, since not requested, had not been gathered, but that it was the intention of the Secretariat, in the future, to provide this information on an annual basis.

18. As at 21 October 1996, the number of officials in the three categories totalled 33. The Advisory Committee notes there are 16 positions in the first category (special representatives and other high-level positions in peacekeeping or observer missions that have been authorized by the Security Council). This category was reduced from 23 positions in 1994 as a result of the decreasing number of peacekeeping missions.

19. Positions under the second category (special envoys), which relate to appointments by the Secretary-General for varying durations but normally a limited period, decreased from 16 in 1994 to 11 positions as at 21 October 1996. Requirements for these positions, which are funded through the procedures for extraordinary and unforeseen expenses, are reported in the context of the annual performance reports on the biennial programme budgets, which for the year 1995 amounted to some $1,297,000, as indicated in paragraph 8 of the Secretary-General's report. Upon inquiry, the Advisory Committee was informed that this amount corresponded to the total costs of engaging special representatives and envoys for fact-finding and other special political measures, therefore including personnel costs, travel, general operating costs and supplies and office equipment.

20. The third category (other special high-level positions) increased from five positions in 1994 to six in 1996, with the addition of the Special Adviser of the Secretary-General on Reform on a $1-a-year basis. The Committee sought further information regarding the cost of individuals on a $1-a-year basis, and although it was informed that it varied in each case, in most cases travel and daily subsistence allowances were paid whenever the envoy or special adviser was requested to travel on behalf of the Organization.

21. Paragraphs 10 and 11 of the report (A/C.5/50/72) describe how the rank and type of appointment for special envoys are generally determined. The Advisory Committee further inquired as to the basis for determining the special representative or envoy's duty station. In that regard, the Committee was informed that all special representatives listed in category A, that is, those serving in peacekeeping missions, served at their respective peacekeeping mission's headquarters. Those in category B, many of whom are on "when actually employed" contracts reporting to the Secretary-General or the Security Council on the situation of the assignment or special mission entrusted to them, carry out their responsibilities from a Headquarters duty station and travel, as

required, to the area of their political mission or are assigned to the specific duty station. Those in category C, mostly special advisers to the Secretary-General, are assigned to Headquarters in New York.

22. The Advisory Committee appreciates the information provided in paragraphs 13 to 15 of the Secretary-General's report, which takes into account the concerns and recommendations made by the Committee with regard to the need to ensure transparency in the budgetary process and in the use of temporary assistance. In this regard, the Committee reiterates its concern, indicated in paragraph 18 of its previous report (A/50/7/Add.2), regarding any flexible interpretation of the guidelines for the use of funds appropriated for general temporary assistance and the avoidance of review by the Advisory Committee and the General Assembly of the functional responsibilities of such posts.

Death and disability benefits

23. In section III, paragraph 1, of its resolution 49/233 A of 23 December 1994, as reiterated in resolution 50/223 of 11 April 1996, the General Assembly decided that revisions to the current arrangements for compensation for death or injury sustained by contingent troops in the service of United Nations peacekeeping operations should be based on the principles of:

(a) Equal treatment of Member States;

(b) Compensation to the beneficiary that is not lower than reimbursement by the United Nations;

(c) Simplification of administrative arrangements to the extent possible;

(d) Speedy settlement of claims for death and disability.

24. In his report of 2 June 1995 on compensation for death and injury sustained by contingent troops in the service of United Nations peacekeeping operations (A/49/906 and Corr.1), the Secretary-General outlined the main features of the current system of compensation and provided information on six options.

25. The Advisory Committee recalls that in paragraph 19 of its report on death and disability benefits (A/50/684) it identified issues on which the General Assembly needed to provide further guidance: whether payments should be in the form of an allowance, a reimbursement or an award; whether they should be made to Member States or individuals directly; the amount to be paid by the United Nations; and whether an insurance scheme should be established. The Advisory Committee also indicated that an understanding and agreement on the precise legal status of contingent personnel and of the nature of their legal, administrative and operational relationship with the Organization and their Government was a necessary prerequisite.

26. In its resolution 50/223, the General Assembly requested the Secretary-General to examine the possibility of an insurance scheme to cover all troops and to respond to issues raised in the report of the Advisory Committee.

27. The report of the Secretary-General (A/50/1009) provides information on the proposal to establish an insurance scheme and the legal status of contingent personnel.

28. The Advisory Committee notes from paragraph 7 of the report that, as compared with the situation two years ago, the possibility of developing a viable commercial insurance policy to cover accidental death and disability risks for peacekeeping troops has been met with a positive response by a number of insurers in the global market. The Advisory Committee also notes that the willingness of insurers to offer coverage is based on the perceived reduction in risk level following the winding down of major peacekeeping operations.

29. The estimated cost of commercial insurance to the United Nations would range from about $25 per troop member/per month to about $40 per troop member/per month for coverage in the base amount of $50,000 (para. 6). If coverage were to be established at the base amount of $100,000, the monthly premium would be proportionately higher. Upon inquiry, the Advisory Committee was informed that coverage would be for one year and subject to renewal. However, the Advisory Committee was also informed that renewal could be on different terms and would take into account past performance.

30. Upon inquiry, the Advisory Committee was provided with information on death and disability claims from troop contributing countries arising from four recent peacekeeping operations (United Nations Operation in Mozambique (UNOMOZ), United Nations Operation in Somalia (UNOSOM), United Nations Assistance Mission for Rwanda (UNAMIR) and United Nations Peace Forces (UNPF)), as well as actual expenditures incurred under current arrangements and projected costs based on the utilization of commercial insurance coverage (see annex II to the present report).

31. With regard to procedures for administering payment of death and disability under commercial insurance, the Advisory Committee was informed that they would be the same as those under a self-insurance scheme. For example, in the event of an incident resulting in death or serious injury, there would be an investigation and a board of inquiry, including a medical evaluation of injuries or manner of death. An award would be made on the basis of the report of the board. However, while under self-insurance payment would be made by the United Nations, which would be responsible for the administration of the scheme, under commercial insurance, a claim would be submitted directly to an insurance company, which would effect the necessary payment.

32. The Advisory Committee notes that among the uncertainties relating to renewal of commercial insurance are that renewal would not be automatic. Insurance companies could still refuse to renew coverage should there be an increase in the perceived risk level or offers of renewal might be on terms that were not acceptable to the United Nations. The Advisory Committee notes that in either a commercial or self-insurance scheme the standardization of rates might greatly facilitate the processing of claims as compared to the current practice.

33. Although self-insurance might expose the Organization to significant liability resulting from catastrophic loss, the Advisory Committee has concluded that, over time, this form of insurance would be more cost-effective.

34. In either case, based on what the General Assembly decides, the Secretary-General will have to make detailed proposals on implementation, including administrative arrangements and procedures, safeguards and financing.

35. With regard to the legal status of contingent personnel, the Advisory Committee notes from paragraph 12 of the report that it would not be legally appropriate for the United Nations to make any form of direct payment to individual contingent personnel. Nor would internal compensation rules of the United Nations apply directly to individual contingent members. This is because while members of national military contingents discharge international functions and serve in United Nations peacekeeping operations under the operational control of the Organization, no direct contractual or statutory relationship exists between them and the United Nations; the terms and conditions of their assignment to the United Nations peacekeeping operations are set out in bilateral agreements and/or understandings entered into between the Organization and their respective Governments.

ANNEX I

Special representatives, envoys and related positions in the United Nations Secretariat

(As at 18 October 1996)

Title	Name	Nationality	Funding source	Contractual status
A. Special representative and other high-level positions in peacekeeping or observer missions authorized by the Security Council				
Under-Secretary-General level				
Special Representative of the Secretary-General for Angola (UNAVEM)	Alioune B. Beye	Mali	Peacekeeping budget	Fixed-term
Special Representative of the Secretary-General for Cyprus (UNFICYP)	Han Sung Joo	Republic of Korea	Peacekeeping budget	"When actually employed"
Transitional administrator (UNTAES)	Jacques Klein	United States of America	Peacekeeping budget	Fixed-term
Special Representative of the Secretary-General for Haiti and Chief of Mission (UNSMIH)	Enrique Ter Horst	Venezuela	Peacekeeping budget	Fixed-term
Special Representative of the Secretary-General for Liberia (UNOMIL)	Anthony Nyakyi	United Republic of Tanzania	Peacekeeping budget	Fixed-term
Total, Under-Secretaries-General: 5				
Assistant Secretary-General level				
Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina (UNMIBH)	Iqbal Riza	Pakistan	Peacekeeping budget	Fixed-term
Force Commander (UNIKOM)	Gian Guiseppe Santillo	Italy	Peacekeeping budget	
Force Commander (UNDOF)	Johannes Kosters	Netherlands	Peacekeeping budget	Fixed-term
Force Commander (UNIFIL)	Stanislaw Wozniak	Poland	Peacekeeping budget	Fixed-term
Deputy Special Representative of the Secretary-General in Cyprus (UNFICYP)	Gustave Feissel	United States of America	Peacekeeping budget	Fixed-term
Acting Special Representative of the Secretary-General and Chairman of the Identification Commission (MINURSO)	Erik Jensen	Malaysia	Peacekeeping budget	Fixed-term

Title	Name	Nationality	Funding source	Contractual status
Special Representative of the Secretary-General, United Nations Preventive Deployment Force in the former Yugoslav Republic of Macedonia (UNPREDEP)	Henryk Sokalski	Poland	Peacekeeping budget	Fixed-term
Deputy Special Representative of the Secretary-General for Angola (UNAVEM III)	Khalid Yassir	Stateless	Peacekeeping budget	Fixed-term
Force Commander (UNAVEM III)	Phillip V. Sibanda	Zimbabwe	Peacekeeping budget	Fixed-term
Force Commander (UNTAES)	Jozef Schoups	Belgium	Peacekeeping budget	Fixed-term
Special Representative of the Secretary-General for Tajikistan (UNMOT)	Gerd Dietrick Merrem	Germany	Peacekeeping budget	Fixed-term
Total, Assistant Secretaries-General: 11				
B. Envoys and other representatives appointed to assist the Secretary-General in exercise of his good offices and related functions				
Under-Secretary-General level				
Head of the Special Mission to Afghanistan	Norbert Holl	Germany	Regular budget	Fixed-term
Special Coordinator of the Secretary-General in the Occupied Territories	Terje R. Larsen	Norway	Regular budget	Fixed-term
Special Envoy of the Secretary-General for Georgia	Edouard Brunner	Switzerland	Regular budget a/	"When actually employed"
Special Envoy of the Secretary-General for Greece and the former Yugoslav Republic of Macedonia	Cyrus Vance	United States of America	Regular budget a/	Travel expenses only
Special Envoy of the Secretary-General for Humanitarian Affairs in the Sudan	Vieri Traxler	Italy	Extrabudgetary funds	$1 a year
Personal Representative of the Secretary-General for the controversy between Guyana and Venezuela	Alistair McIntyre	Grenada	Regular budget a/	"When actually employed"
Under-Secretary-General for special assignments in support of the Secretary-General's preventive and peacemaking efforts	Lakhdar Brahimi	Algeria	Regular budget a/	"When actually employed"

Title	Name	Nationality	Funding source	Contractual status
Special Envoy of the Secretary-General on Women and Development	Gertrude Mongella	United Republic of Tanzania	Extrabudgetary funds	"When actually employed"
Total, Under-Secretaries-General: 8				
Assistant Secretary-General level				
Special Representative of the Secretary-General for Burundi	Marc Faguy	Canada	Regular budget	Fixed-term
Total, Assistant Secretaries-General: 1				
D-2 level				
Representative of the Secretary-General in Cambodia	Benny Widyono	Indonesia	Regular budget a/	Fixed-term
Special Envoy of the Secretary-General for Sierra Leone	Berhanu Dinka	Ethiopia	Regular budget a/	Fixed-term
Total, D-2 level: 2				
C. Other special high-level positions				
Under-Secretary-General level				
Special Adviser to the Secretary-General	Ismat Kittani	Iraq	Regular budget	Fixed-term
Special Adviser to the Secretary-General	Chinmaya Gharekhan	India	Support account for peacekeeping operations	Fixed-term
Special Adviser to the Secretary-General for Public Policy	Gillian Martin Sorensen	United States of America	Extrabudgetary funds	"When actually employed"
Special Representative of the Secretary-General for Public Affairs	Joseph V. Reed	United States of America	—	$1 a year
Special Adviser to the Secretary-General on Reform	Maurice Strong	Canada	Regular budget	$1 a year
Total, Under-Secretaries-General: 5				

Title	Name	Nationality	Funding source	Contractual status
Assistant Secretary-General				
Special Adviser on Communications	John Hughes	United States of America	Extrabudgetary funds	"When actually employed"
Total, Assistant Secretaries-General: 1				
Grand total: 33				

a/ General Assembly resolution 50/217 on unforeseen and extraordinary expenses.

ANNEX II

Death and disability claims from Member States

(United States dollars)

A. Historical comparison of four completed/closed missions

Actual claims received	United Nations Operation in Mozambique		United Nations Operation in Somalia		United Nations Assistance Mission for Rwanda a/		United Nations Peace Forces a/		Total	
	Number of cases	Total claim amount	Number of cases	Total claim amount	Number of cases	Total claim amount	Number of cases	Total claim amount	Number of cases	Total claim amount
Death	9	1 581 813	89	7 098 080	2	64 754	59	10 785 754	159	19 530 401
Disability	3	84 000	206	4 558 504	2	50 000	105	2 899 563	316	7 592 067
Total	12	1 665 813	295	11 656 584	4	114 754	164	13 685 317	475	27 122 468
Budgetary provision		4 640 000		17 550 300		2 961 200		44 165 500		69 317 000
Monthly average troop strength		4 660		14 438		2 759		27 595		14 594
Number of months deployed		24		29		30		46		129

B. Simulated cost paid based on the actual number of claims

1. Maximum award level of $50,000 (plus $5,000 funeral expenses)

	Calculation basis	United Nations Operation in Mozambique		United Nations Operation in Somalia		United Nations Assistance Mission for Rwanda		United Nations Peace Forces		Total	
		Number of casualties	Cost	Number of casualties	Cost	Number of casualties	Cost	Number of casualties	Cost	Number of casualties	Cost
Death	55 000	9	495 000	89	4 895 000	2	110 000	59	3 245 000	159	8 745 000
Disability	37 500 b/	3	112 500	206	7 725 000	2	75 000	105	3 937 500	316	11 850 000
Total		12	607 500	295	12 620 000	4	185 000	164	7 182 500	475	20 595 000

2. Maximum award level of $100,000 (plus $5,000 funeral expenses)

		United Nations Operation in Mozambique		United Nations Operation in Somalia		United Nations Assistance Mission for Rwanda		United Nations Peace Forces		Total	
	Calculation basis	Number of casualties	Cost	Number of casualties	Cost	Number of casualties	Cost	Number of casualties	Cost	Number of casualties	Cost
Death	105 000	9	945 000	89	9 345 000	2	210 000	59	6 195 000	159	16 695 000
Disability	75 000 b/	3	225 000	206	15 450 000	2	150 000	105	7 875 000	316	23 700 000
Total		12	1 170 000	295	24 795 000	4	360 000	164	14 070 000	475	40 395 000

C. Commercial insurance option

1. Projected total cost to the Organization

	United Nations Operation in Mozambique	United Nations Operation in Somalia	United Nations Assistance Mission for Rwanda	United Nations Peace Forces	Total
Premium amount: $25/troop/month based on $50,000 coverage (plus $5,000 funeral expenses)	2 796 000	10 467 550	2 069 250	31 734 250	47 067 050

2. Projected total cost to the Organization

	United Nations Operation in Mozambique	United Nations Operation in Somalia	United Nations Assistance Mission for Rwanda	United Nations Peace Forces	Total
Premium amount: $50/troop/month based on $100,000 coverage (plus $5,000 funeral expenses)	5 592 000	20 935 100	4 138 500	63 468 500	94 134 100

a/ Since most death and disability claims are received two to five years after their occurrence, the UNAMIR and UNPF cases are probably underestimated.

b/ Represents estimated median award level for disability claims based on actual experience.